

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

HOUSTON DIVISION

UNITED STATES OF AMERICA

V.

JOSHUA BATTS,  
Defendant

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§  
§

CRIMINAL NO. 4:22-CR-630

**GOVERNMENT'S MOTION TO DISMISS COUNT ONE**

COMES NOW the United States of America, by and through, Alamdar S. Hamdani, United States Attorney for the Southern District of Texas, and Joe Porto, the undersigned Assistant United States Attorney, pursuant to the Defendant's plea of guilty in a State parallel proceeding and sentencing on a Felon in Possession of a Weapon and Felony Theft, the United States requests that this Honorable Court dismiss Count One of the Indictment against Joshua Batts, without prejudice under Rule 48(a) of the Federal Rules of Criminal Procedure.

WHEREFORE, PREMISES CONSIDERED, the United States moves that this Motion to Dismiss Count One of the felony indictment against Joshua Batts be granted.

Respectfully submitted,

Alamdar S. Hamdani  
United States Attorney

By: Joe Porto  
Joe Porto  
Assistant United States Attorney

CERTIFICATE OF NON-SERVICE

I certify that a true and correct copy of the Government's motion to Dismiss Count One of the felony Indictment against Joshua Batts has not been sent to anyone, since he was never arrested by federal authorities and arraigned before a federal Magistrate and/or Judge and assigned representative counsel in this matter.

Signed on this, the 28<sup>th</sup> day of April 2023.

By: Joe Porto  
Joe Porto  
Assistant United States Attorney

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**ORDER**

Upon the motion of the United States, pursuant to Rule 48(a), Federal Rules of Criminal Procedure, it is hereby **ORDERED** that Count One of the Felony Indictment in the above styled case be dismissed without prejudice against defendant, Joshua Batts.

Entered this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
**UNITED STATES DISTRICT JUDGE**